

**ENTERED**

September 17, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION

PATRICIA J. NEUMANN,

Plaintiff,

VS.

ANDREW SAUL,

Defendant.

§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. 6:19-CV-26

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION**

Before the Court is Magistrate Judge Julie Hampton's Memorandum and Recommendation ("M&R"), entered on July 29, 2020. (D.E. 21). The M&R recommends that the Court deny Plaintiff's Motion for Attorney's Fees Pursuant to the Equal Access to Justice Act because the motion is untimely. (D.E. 17; D.E. 21).

The parties were provided proper notice of, and the opportunity to object to, Judge Hampton's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, LP*, No. CIV. A. H-14-2700, 2015 WL 3823141, at \*1 (S.D. Tex. June 18, 2015).

Having carefully reviewed the proposed findings and conclusions of Judge Hampton, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its

entirety. (D.E. 21). Accordingly, the Court **DENIES** Plaintiff's Motion for Attorney Fees. (D.E. 17).

SIGNED and ORDERED this 17<sup>th</sup> day of September 2020.



---

DAVID S. MORALES  
UNITED STATES DISTRICT JUDGE